IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION Nos.14138, 14162 & 14165 of 2002

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WRIT PETITION No: 14138 of 2002

Between:

1. V. Dhanalakshmi, D/o. Venkatrao.

D.No.6-36, Pendurthy, Visakhapatnam District.

2. K. Hemalatha, D/o. Jagannadha Rao.

C/o. V.S.S. Naidu, Near Excise Police Station,

Visakhapatnam District.

3. P. Jayalakshmi, D/o. Satyanarayana.

Pulaparthy Village, Elamanchili Mandal.

4. D. Geeta Vani, D/o. Venkanna.

D.No.14-25-14-2/4, Maharanipet.

5. K. Nagamani, D/o. Venkatanookarao.

D.No.6-95-39, Saiprakashnagar, Kanchalapalem.

6. P. Jayalakshmi, D/o. Mutyalu.

D.No.1-51-2/3, MVP Colony, Sector-II.

7. S. Padmaja, D/o. Veera Venkata Subbaraju.

D.No.1-56-1, Venkojipalem, Petrol Bunk,

MVP Colony.

8. Y. Sandhya, D/o. Nageswar Rao.

HB Colony, Visakhapatnam.

9. R. Vijayalakshmi, D/o. Buchakravarthy.

(Applicant Nos.1 to 9 belongs to Visakhapatnam

District.)

10. R.V. Nookaratnam, D/o. Surya Rao.

Ramanayyapet, Kakinada, E.G. District.

11. S. Naga Lakshmi, D/o. Pothu Raju.

Gokavaram, E.G. District.

12. M. Nagamani, D/o. Raju.

EWS-I, 100 Buildings, Kakinada, E.G. District.

13. G.V.V.Lakshmi, D/o. Venkateswer Rao.

EWS 12, 100 Buildings, Kakinada, E.G. District.

14. P. Parvathi, D/o. Appa Rao.

EWS, 100 Buildings, Kakinada, E.G. District.

15. P. Sunitha, D/o. Appa Rao.

EWS, 100 Buildings, Kakinada, E.G. District.

16. R. Venkatalakshmi, D/o. Narayanamma.

Gokavaram, E.G. District.

17. V. Nagamani, D/o. Viswanadham.

RTC Colony, Ragolu Village, Srikakulam District.

..... PETITIONERS

AND

1. The State of A.P., rep., by its Secretary.

Medical and Health Department, Secretariat, Hyderabad.

2. The Director General of Medical and Health

Services and Chairman, Para Medical Recruitment

Committee, Sultan Bazar, Hyderabad.

3. The Director of Medical and Health Services,

Sultan Bazar, Hyderabad.

4. The District Collector and Chairman,

Paramedical Recruitment Committee, Visakhapatnam.

5. The District Medical and Health Officer,

Visakhapatnam.

6. The District Collector and Chairman,

Paramedical Recruitment Committee,

Kakinada, E.G. District.

7. The District Medical and Health Officer,

Kakinada, E.G. District.

8. The District Collector and Chairman,

Paramedical Recruitment Committee,

Srikakulam, Srikakulam District.

9. The District Medical and Health Officer,

Srikakulam, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring that the Judgment of the Hon'ble A.P. Administrative Tribunal in O.A.No.7007 of 2002 dt.30.07.2002 is contrary to law and also declare that the disqualification imputed to the female candidates for recruitment to the post of MPHA (M) as contained in the impugned Notification No.DIPR-869/CL/ADV.I/C2/2002-2003, dt.20.07.2002 is arbitrary un-constitutional and consequently direct the respondents to consider the cases of the petitioners for recruitment to the post of MPHA (M).

Counsel for the Petitioners: MR.M.RATNA REDDY

Counsel for the Respondents: GP FOR SERVICES I

WRIT PETITION No: 14162 of 2002

Between:

1. P. Rajeshwari, W/o. K. Daya Sagar,

R/o.H.No.2-181, Srinivasa Nagar,

Baji Junction, Visakhapatnam-27.

2. Apuri Padma, W/o. E.Tirupathi Rao,

R/o.H.No.19-49-4, Rangaraju Veedhi,

Visakhapatnam-1.

..... PETITIONERS

And

1. The Government, of A.P., Rep., by its

Principal Secretary, Health, Medical

& Family Welfare Department,

Secretariat, Hyderabad.

2. The Director General of Medical and Health

Services & Chairman, Paramedical

Recruitment Committee, Koti, Hyderabad.

3. The District Collector, Paramedical Staff

Selection Committee, Visakhapatnam District,

Visakhapatnam-2.

4. The District Medical & Health Officer,

Visakhapatnam District, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, or order or direction more particularly one in the nature of Writ of Certiorari calling for the records relating to order in O.A.No.6862 of 2002, dt.30.07.2002 passed by A.P. Administrative Tribunal, Hyderabad, confirming the Notification No.DIPR-869/CL/Advt.I/C2/2002-2003, dt.20.07.2002 to the extent of sub-clause 4 of clause 4, prohibiting female candidates to submit their applications, to participate in the selection process for appointment to the post of Multipurpose Health Assistants (Male) and to quash the same and consequentially direct the respondents to appoint the petitioners to the said post if they fall within the zone of consideration in respect of Male and Female by declaring the action of the respondents is contrary to Special Rules in G.O.Ms.No.273, Health, Medical and Family Welfare (H1) Department, dt.24.04.1989, contrary to Rule 22-A of State and Sub-Ordinates Rules and offends Article 14,16 of Constitution of India.

Counsel for the Petitioners: MR.V.VENUGOPALA RAO

Counsel for the Respondents: GP FOR SERVICES I

WRIT PETITION No: 14162 of 2002

Between:

D. Eligebeth Prasanna Kumari, W/o. Durgesh,

R/o. Tadipudi, Tellapudi Mandal,

West Godavari District.

..... PETITIONER

And

1. The Government of Andhra Pradesh, rep., by its

Secretary, Health, Medical & Family Welfare

Department, Secretariat Buildings, Hyderabad.

2. The Director-General of Medical & Health Services

& Chairman, Paramedical Recruitment Committee,

Koti, Hyderabad.

3. The District Medical & Health Officer, West Godavari.

4. The District Collector, West Godavari.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Certiorari calling for the records pertaining to the order dated 30-7-2002 in O.A.No.7006 of 2002 on the file of A.P. Administrative Tribunal, Hyderabad and quash the same and consequently declare that the petitioner is eligible and qualified to hold the post of Multipurpose Health Assistant (Male) and entitled for consideration for appointment to the said post, by holding the action of the respondents in not considering the claims of the female candidates for appointment to the post of Multipurpose Health Assistant (Male) as illegal, arbitrary, unjust, violative of Rules and subversive of Articles 14 and 16 of the Constitution of India.

Counsel for the Petitioner: MR.K.RAVI

Counsel for the Respondents: GP FOR SERVICES I

The Court made the following:

ORAL COMMON ORDER:- (PER GB,J.)

All these matters relate to the recruitment to the post of Multipurpose Health Assistants (Male) for the recruitment year 2002.

2. It is now stated that the recruitment to the year 2002 is already completed. Under those circumstances, no purpose will be served by adjudicating the Writ Petitions.

3. Accordingly, the Writ Petitions are closed. No costs.

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G. BIKSHAPATHY, J.

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P.S. NARAYANA, J.

Date: 08.02.2005

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To

1. The Principal Secretary, Helath, Medical & Family Welfare Department, The Government of A.P., Secretariat, Hyderabad

2. The Secretary, State of A.P.,

Medical and Health Department, Secretariat, Hyderabad.

3. The Director General of Medical and Health

Services and Chairman, Para Medical Recruitment

Committee, Sultan Bazar, Hyderabad.

4. The Director of Medical and Health Services,

Sultan Bazar, Hyderabad.

5. The District Collector and Chairman,

Paramedical Recruitment Committee, Visakhapatnam.

6. The District Medical and Health Officer,

Visakhapatnam.

7. The District Collector and Chairman,

Paramedical Recruitment Committee,

Kakinada, E.G. District.

8. The District Medical and Health Officer,

Kakinada, E.G. District.

9. The District Collector and Chairman,

Paramedical Recruitment Committee,

Srikakulam, Srikakulam District.

10. The District Medical and Health Officer,

Srikakulam, Srikakulam District.

11. The District Medical & Health Officer, West Godavari.

12. The District Collector, West Godavari.

13. 2 CCs to the G.P. for Services-I, High Court of A.P., Hyderabad (OUT).

14. 2 CD copies.